

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ELEANOR ("RONNIE") BEHRINGER,

Plaintiff,

-against-

LAVELLE SCHOOL FOR THE BLIND and  
FRANK SIMPSON,

Defendants.

Civil Action No.: 08-4899 (JGK-THK)

**DECLARATION OF ELLEN TRIEF, Ed.D.**

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STATE OF NEW JERSEY  
COUNTY OF BERGEN } SS.:

**ELLEN TRIEF**, being duly sworn, deposes and says:

1. I am a Professor in the Blind and Visually Impaired and Severe and Multiple Disabilities Programs in the Department of Special Education at Hunter College School of Education, City University of New York.

2. I make this declaration based on personal knowledge.

3. In 2001, Frank Simpson, Superintendent of Lavelle School for the Blind ("Lavelle"), engaged me as an outside consultant to advise, counsel and assist him in implementing a host of changes at the School in the areas of teacher certification, appropriate and effective curricula, and credentialing.

4. In the course of my consultancy, Hunter College secured a grant to research the efficacy of "universal tangible cues" in school settings. Lavelle was selected as the original field test site.

5. Universal tangible cues is a system by which non-verbal blind students can communicate using concrete objects that are standardized throughout an educational institution. Lavelle did not have a "universal" or standardized cue system in place and I believed that the students would derive great benefit from the system.

6. My role in this project was to design the cues and field-testing protocols, train staff, and ensure that applicable data was collected. To this end, I also worked with Lorrie Nanry and Ronnie Behringer, Principals at Lavelle who had non-verbal blind students. Ms. Nanry and Ms. Behringer were integral for "pushing" the program, providing day-to-day monitoring to ensure compliance and collecting completed data sheets.

7. Field testing for the program was launched at Lavelle in the spring of 2005 and the program was rolled out in the fall of 2005.

8. Ms. Nanry did an excellent job selling the program to her classrooms. Her staff embraced the universal tangible cues and I had no difficulty obtaining the data I needed.

9. In comparison, Ms. Behringer was resistant and did not sell the program. Data collections from her classrooms were spotty and Ms. Behringer was simply not committed to implementing the universal tangible cues.

10. I told Frank Simpson that I questioned Ms. Behringer's commitment to the program.

11. I attended meetings at Lavelle with Mr. Simpson and his Principals, Ronnie Behringer, Lorrie Nanry and Diane Tucker, to talk about various areas in the curriculum. I never witnessed Mr. Simpson behaving in any kind of abusive, hostile or threatening manner toward anyone at Lavelle, including Ms. Behringer.

I, Ellen Trief, Ed.D, hereby declare under penalty of perjury pursuant to the laws of the United States of America, 28 U.S.C. § 1746, that the foregoing statements are true and correct.

Executed on April 23, 2010 at  
504 Heights Lane Tenafly, New Jersey  
City

  
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ELLEN TRIEF, Ed.D